

REMARKS

Claims 1, 3-6, 8-11, 13-34, 36-50 are currently pending in the present application. In this Amendment, Applicant has amended claims 1, 3, 6 and 15 and has canceled claims 10-14 and 50. Reconsideration of the application in its current format is hereby requested.

In the Office action, the Examiner has rejected claims 1, 3-6, 8-11, 13-34 and 36-38, 49 and 59 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,369,461 to Jungreis et al. The Examiner has allowed claims 39-48. The Examiner's statement of reasons for allowance is: "None of the cited prior art disclose or teach a booster converter having an input connected to the fuel cell and an output connected to the controller device and the DC bus, the boost converter being operable to regulate power provided from the fuel cell to the DC bus based on the DC power available from the DC power source."

Applicant has amended independent claims 1 and 15 to include limitations analogous to the limitations in independent claim 39 that were cited by the Examiner as being a reason for allowing independent claim 39. More specifically, independent claim 1 has been amended to, inter alia, recite: "supplying DC power from the DC power source to the converter" and "supplying DC power from the converter to the DC bus"; and independent claim 15 has been amended to recite "a converter having an output connected to the DC bus and an input connected to the DC power source, said converter providing power to the DC bus based on the DC power available from the DC power source". Since the amendments to independent claims 1 and 15 add limitations analogous to the limitations in independent claim 39 that were cited by the Examiner as being a reason for allowing independent claim 39, Applicant

submits that the amendment places the claims in condition for allowance and, thus, should be entered pursuant to MPEP§ 714.12.

Based on the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 050877.

Respectfully submitted,

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